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10/626,224

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William O. Camp JR.

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EXAMINER

YUN, EUGENE

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/626,224

Applicant(s)

CAMP, WILLIAM O.

Examiner

Eugene Yun

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 7-16, 19-24 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-16, 19-24 and 26-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 7-11, 15, 16, 19-23, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmusson (WO 00/74350) in view of El-Maleh et al. (US 7,023,880).

Referring to Claim 1, Rasmusson teaches a wireless terminal, comprising;  
a short-range communication module that is configured to communicate first information over a short-range wireless interface with a communication device (see communication between 201 and 203 in fig. 2);

a cellular transceiver that is configured to communicate second information with a cellular network according to a cellular communication protocol (see 225 and 227 of fig. 2); and

a short range communication module (see pg. 15, lines 3-10).

Rasmusson does not teach a processor that is configured to encode voice in the second information using at least one of an Enhanced Full Rate (EFR) codec and an Adaptive Multi-Rate (AMR) codec for transmission by the cellular transceiver according to a signal processing operation, and is configured to selectively encode voice in the first information using at least one of the EFR codec and the AMR codec for communication by the communication module using the signal processing operation based on whether the communication device supports an enhanced communication mode.

El-Maleh teaches a processor that is configured to encode voice in the second information using at least one of an Enhanced Full Rate (EFR) codec and an Adaptive Multi-Rate (AMR) codec for transmission by the cellular transceiver according to a signal processing operation (see col. 5, lines 30-44), and is configured to selectively encode voice in the first information using at least one of the EFR codec and the AMR codec for communication by the communication module using the signal processing operation based on whether the communication device supports an enhanced communication mode (see col. 8, line 62 to col. 9, line 21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

Referring to Claim 3, Rasmusson teaches a wireless terminal, comprising:

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a Bluetooth module that is configured to communicate first information with a remote Bluetooth device (see communication between 201 and 203 in fig. 2 and pg. 14, line 30 to pg. 15, line 10);

a cellular transceiver that is configured to communicate second information with a cellular network according to a cellular communication protocol (see 225 and 227 of fig. 2); and

a Bluetooth module (see pg. 15, lines 3-10).

Rasmusson does not teach a processor that is configured to encode voice in the second information using at least one of an Enhanced Full Rate (EFR) codec and an Adaptive Multi-Rate (AMR) codec for transmission by the cellular transceiver, and to selectively encode voice in the first information using at least one of the EFR codec and the AMR codec for communication by the module based on whether the remote device supports an enhanced communication. El-Maleh teaches a processor that is configured to encode voice in the second information using at least one of an Enhanced Full Rate (EFR) codec and an Adaptive Multi-Rate (AMR) codec for transmission by the cellular transceiver (see col. 5, lines 30-44), and to selectively encode voice in the first information using at least one of the EFR codec and the AMR codec for communication by the module based on whether the remote device supports an enhanced communication (see col. 8, line 62 to col. 9, line 21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

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Referring to Claim 15, Rasmusson teaches a method of operating a wireless terminal, comprising:

determining whether a remote Bluetooth device supports an enhanced communication mode (see pg. 14, line 30 to pg. 15, line 10); and

communicating first information to a remote Bluetooth Device (see pg. 15, lines 11-32).

Rasmusson does not teach selectively encoding voice in first information using at least one of an Enhanced Full Rate (EFR) codec and an Adaptive Multi-Rate (AMR) codec according to a signal processing operation for communication to the remote device based on whether the remote device supports an enhanced communication mode. El-Maleh teaches selectively encoding voice (see col. 8, line 62 to col. 9, line 21) in first information using at least one of an Enhanced Full Rate (EFR) codec and an Adaptive Multi-Rate (AMR) codec according to a signal processing operation for communication to the remote device based on whether the remote device supports an enhanced communication mode (see col. 5, lines 30-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

Referring to Claim 2, Rasmusson also teaches the short-range communication module is configured to communicate the first information according to a Bluetooth communication protocol (see pg. 14, line 30 to pg. 15, line 10).

Referring to Claim 16, El-Maleh also teaches encoding voice in second information using at least one of the EPR codec and the AMR codec according to the signal processing operation for transmission to a cellular network (see col. 5, lines 30-44).

Referring to Claims 7 and 19, Rasmusson also teaches the first information comprising audio information, and canceling echo in the audio information using a signal processing operation (see pg. 17, lines 28-31).

Referring to Claims 8 and 20, Rasmusson also teaches the first information comprising audio information, and reducing noise in the audio information using a signal processing operation (see pg. 16, lines 27-30).

Referring to Claim 9, Rasmusson teaches a wireless terminal, comprising:  
a Bluetooth module that is configured to communicate first information with a remote Bluetooth device (see communication between 201 and 203 in fig. 2 and pg. 14, line 30 to pg. 15, line 10);

a cellular transceiver that is configured to communicate second information with a cellular network according to a cellular communication protocol (see 225 and 227 of fig. 2).

Rasmusson does not teach a processor that is configured to convolutionally encode the second information for transmission by the cellular transceiver according to a signal processing operation, and to selectively convolutionally encode the first information according to the signal processing operation for communication by the module based on whether the remote device supports an enhanced communication mode. El-Maleh teaches a processor that

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is configured to convolutionally encode the second information fro transmission by the cellular transceiver according to a signal processing operation, and to selectively convolutionally encode the first information according to the signal processing operation for communication by the module based on whether the remote device supports an enhanced communication mode (see col. 9, lines 6-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

Referring to Claim 10, Rasmusson teaches a wireless terminal, comprising:

a Bluetooth module that is configured to communicate first information with a remote Bluetooth device (see communication between 201 and 203 in fig. 2 and pg. 14, line 30 to pg. 15, line 10);

a cellular transceiver that is configured to communicate second information with a cellular network according to a cellular communication protocol (see 225 and 227 of fig. 2).

Rasmusson does not teach a processor that is configured to interleave the second information fro transmission by the cellular transceiver according to a signal processing operation, and to selectively interleave the first information according to the signal processing operation for communication by the module based on whether the remote device supports an enhanced communication mode. El-Maleh teaches a processor that is configured to interleave the second



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information for transmission by the cellular transceiver according to a signal processing operation, and to selectively interleave the first information according to the signal processing operation for communication by the module based on whether the remote device supports an enhanced communication mode (see col. 7, lines 53-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

Referring to Claim 11, Rasmusson teaches a wireless terminal, comprising:

a Bluetooth module that is configured to communicate first information with a remote Bluetooth device (see communication between 201 and 203 in fig. 2 and pg. 14, line 30 to pg. 15, line 10);

a cellular transceiver that is configured to communicate second information with a cellular network according to a cellular communication protocol (see 225 and 227 of fig. 2).

Rasmusson does not teach a processor that is configured to encode the second information for transmission by the cellular transceiver using a signal processing operation, and configured to selectively encode the first information according to the signal processing operation for transmission by the module based on whether the remote device supports an enhanced communication mode, wherein the processor is configured to selectively encode the first information by selectively embedding control data in the first information based

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on whether the remote device supports an enhanced communication mode. El-Maleh teaches a processor that is configured to encode the second information for transmission by the cellular transceiver using a signal processing operation, and configured to selectively encode the first information according to the signal processing operation for transmission by the module based on whether the remote device supports an enhanced communication mode (see col. 8, line 62 to col. 9, line 21), wherein the processor is configured to selectively encode the first information by selectively embedding control data in the first information based on whether the remote device supports an enhanced communication mode (see col. 12, lines 49-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

Referring to Claim 21, Rasmusson teaches a method of operating a wireless terminal, comprising:

Determining whether a remote Bluetooth device supports an enhanced communication mode (see communication between 201 and 203 in fig. 2 and pg. 14, line 30 to pg. 15, line 10); and

Communicating first information to a remote Bluetooth device (see pg. 5, lines 11-32).

Rasmusson does not teach selectively convolutionally coding first information for communication to the remote device based on whether the remote device supports an enhanced communication mode. El-Maleh teaches

selectively convolutionally coding first information for communication to the remote device based on whether the remote device supports an enhanced communication mode (see col. 9, lines 6-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

Referring to Claim 22, Rasmusson teaches a method of operating a wireless terminal, comprising:

Determining whether a remote Bluetooth device supports an enhanced communication mode (see communication between 201 and 203 in fig. 2 and pg. 14, line 30 to pg. 15, line 10); and

Communicating first information to a remote Bluetooth device (see pg. 5, lines 11-32).

Rasmusson does not teach selectively interleaving first information for communication to the remote device based on whether the remote device supports an enhanced communication mode. El-Maleh teaches selectively interleaving first information for communication to the remote device based on whether the remote device supports an enhanced communication mode (see col. 7, lines 53-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

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Referring to Claim 23, Rasmusson teaches a method of operating a wireless terminal, comprising:

Determining whether a remote Bluetooth device supports an enhanced communication mode (see communication between 201 and 203 in fig. 2 and pg. 14, line 30 to pg. 15, line 10); and

Communicating first information to a remote Bluetooth device (see pg. 5, lines 11-32).

Rasmusson does not teach selectively embedding control data in first information for communication to the remote device based on whether the remote device supports an enhanced communication mode. El-Maleh teaches selectively embedding control data in first information for communication to the remote device based on whether the remote device supports an enhanced communication mode (see col. 12, lines 49-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of El-Maleh to said device of Rasmusson in order to improve the voice quality in variable rate communications.

Referring to Claim 27, El-Maleh also teaches a processor that is configured to convolutionally encode the second information for transmission by the cellular transceiver according to a signal processing operation, and to selectively convolutionally encode the first information according to the signal processing operation for communication by the Bluetooth module based on whether the remote Bluetooth device supports an enhanced communication mode (see col. 9, lines 6-21).

Referring to Claim 28, El-Maleh also teaches a processor that is configured to interleave the second information from transmission by the cellular transceiver according to a signal processing operation, and to selectively interleave the first information according to the signal processing operation for communication by the Bluetooth module based on whether the remote Bluetooth device supports an enhanced communication mode (see col. 7, lines 53-67).

Referring to Claim 29, El-Maleh also teaches selectively encoding the first information by selectively embedding control data in the first information based on whether the remote Bluetooth device supports an enhanced communication mode (see col. 12, lines 49-59).

4. Claims 12-14, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmusson and El-Maleh and further in view of Kim (US 2002/0065045).

Referring to Claims 12 and 24, the combination of Rasmusson and El-Maleh does not teach the remote Bluetooth device comprising a cordless telephone base station that is configured to be connected to a public switched telephone network (PSTN) 60 (fig. 2), and wherein the processor is configured to communicate through the Bluetooth module with the cordless telephone base station. Kim teaches the remote Bluetooth device comprising a cordless telephone base station that is configured to be connected to a public switched telephone network (PSTN), and wherein the processor is configured to communicate through the Bluetooth module with the cordless telephone base

station (see paragraph [0023]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Kim to the modified device of Rasmusson and El-Maleh in order to better enhance the quality of short range communications.

Referring to Claim 13, Rasmusson also teaches the processor is configured to selectively embed control data in the first information based on whether the remote Bluetooth device supports an enhanced communication mode, and wherein the control data comprises a command to control operation of the cordless telephone base station (see pg. 15, lines 11-32).

Referring to Claim 14, Kim also teaches the control data instructs the cordless telephone base station to terminate a call on the PSTN (see paragraph [0023]).

Referring to Claim 26, El-Maleh also teaches the control data selectively embedding in the first information comprising a command to control operation of the cordless telephone base station (see col. 12, lines 49-59).

### ***Response to Arguments***


5. Applicant's arguments with respect to claims 1-3, 7-16, 19-24, and 26-29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Eugene Yun  
Examiner  
Art Unit 2618

EY